



# The Jurisprudence of Lord Denning: A Study in Legal History, in Three Volumes

*Charles Stephens*

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'The Jurisprudence of Lord Denning: A Study in Legal History' consists of three volumes: 'Fiat Justitia: Lord Denning and the Common Law'; 'The Last of England: Lord Denning's Englishry and the Law'; and, 'Freedom under the Law: Lord Denning as Master of the Rolls 1962-1982'. Each volume considers a different aspect of Lord Denning's jurisprudence. Fiat Justitia is concerned with Lord Denning's place in the common law tradition, as defined by Fortescue, Coke and Blackstone. Particular attention is paid to Lord Denning's approach to the role of the Judge and the use of judicial discretion in relation to precedent, statutory interpretation, individual rights and control of the abuse of power. 'The Last of England' looks at the role of Englishness in the jurisprudence of Lord Denning, setting his approach to equity, in particular the way in which he developed the doctrine of estoppel, immigration and race and the law of the European Community in the context of the developing debate about the nature of English identity. Freedom under the Law sets the jurisprudence of Lord Denning in the context of the history of the 1960s and 1970s; examining his writings about the law, role in the Profumo affair and treatment of themes such as religion, literature, education, the currency, the Empire, the Union, national security, social change, industrial conflict and the role of the City of London. The trilogy provides a comprehensive analysis of the work of one of the most important judges of the twentieth century set in its historical, political and philosophical context. In the course of preparing this work, each of the 1072 judgments of Lord Denning, as reported in the All England Law Reports for the years 1962 to 1982, was considered, together with all the books about the law which he published while sitting as a judge.

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